

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

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|--|---|------------------------------------|
| DAMON JONES, |) | |
| |) | Civil Action No. 06 - 1209 |
| Plaintiff, |) | |
| |) | Judge Terrence F. McVerry |
| v. |) | Magistrate Judge Lisa Pupo Lenihan |
| |) | |
| LORI LAPINA, Physician Assistant; |) | |
| STANLEY FALOR, Physician; and JOHN |) | |
| or JANE DOE, Medical Records Supervisor, |) | |
| |) | |
| Defendants. |) | |

MEMORANDUM ORDER

The above captioned case was initiated by the filing of a Motion to Proceed *In Forma Pauperis* (doc. no. 1) on September 13, 2006, and was referred to United States Magistrate Judge Lisa Pupo Lenihan for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrate Judges.

Magistrate Judge Lisa Pupo Lenihan filed a Report and Recommendation on May 29, 2008 (doc. no.22), recommending that the Motion to Dismiss the Complaint filed by Stanley Falor and Lori Lapina be granted. Plaintiff was served with the Report and Recommendation and advised that he had until June 16, 2008 to file objections to the Report and Recommendation. No objections have been filed.

After *de novo* review of the pleadings and documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 25th day of June, 2008;

IT IS HEREBY ORDERED that the Motion to Dismiss filed by Defendants Falor and Lapina (doc. no. 20) is **GRANTED**.

IT IS FURTHER ORDERED that the Report and Recommendation (doc. no. 22) of Magistrate Judge Lenihan dated May 29, 2008, is **ADOPTED** as the Opinion of the Court.

IT IS FURTHER ORDERED that the Clerk of Court mark this case **CLOSED**.

AND IT IS FURTHER ORDERED that pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, Plaintiff has thirty (30) days to file a notice of appeal as provided by Rule 3 of the Federal Rules of Appellate Procedure.

BY THE COURT:

s/ Terrence F. McVerry
United States District Judge

cc: Lisa Pupo Lenihan
United States Magistrate Judge

Damon Jones
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